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Chapter No. 405
16/HR43/R708SG
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HOUSE BILL NO. 1292

Originated in House



Clerk

HOUSE BILL NO. 1292

AN ACT TO AMEND SECTION 97-5-49, MISSISSIPPI CODE OF 1972, TO REVISE THE MAXIMUM TERM OF IMPRISONMENT IN JAIL FOR A PERSON FOUND GUILTY OF A SOCIAL HOST VIOLATION; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 97-5-49, Mississippi Code of 1972, is amended as follows:

97-5-49. (1) As used in this section:

- (a) "Adult" means a person over the age of twenty-one (21) years.
- (b) "Alcoholic beverage" has the meaning as defined in Section 67-1-5.
- (c) "Beer" has the meaning as defined in Section 67-3-3.
- (d) "Light wine" means wine containing five percent (5%) or less of alcohol by weight.
- (e) "Minor" means a person under the age of twenty-one (21) years.

(f) "Party" means a gathering or event at which a group of two (2) or more persons assembles for a social occasion or activity at a private residence or a private premises.

(g) "Private premises" means privately owned land, including any appurtenances or improvements on the land.

(h) "Private residence" means the place where a person actually lives or has his or her home.

(i) "Wine" has the meaning as defined in Section 67-1-5.

(2) No adult who owns or leases a private residence or private premises shall knowingly allow a party to take place or continue at the residence or premises if a minor at the party obtains, possesses or consumes any alcoholic beverage, light wine or beer if the adult knows that the minor has obtained, possesses or is consuming alcoholic beverages, light wine or beer.

(3) This section shall not apply to legally protected religious activities or gatherings of family members or to any of the exemptions set forth in Section 67-3-54.

(4) Each incident in violation of subsection (2) of this section or any part of subsection (2) constitutes a separate offense.

(5) Any person who violates subsection (2) of this section shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of One Thousand Dollars (\$1,000.00) or by imprisonment in the county jail for not more than * * * six (6)

months, or by both the fine and imprisonment, in the discretion of the court.

SECTION 2. This act shall take effect and be in force from and after July 1, 2016.

PASSED BY THE HOUSE OF REPRESENTATIVES
March 2, 2016



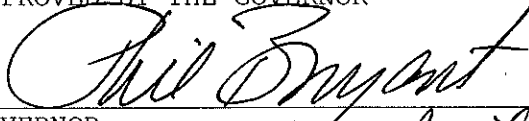
SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
March 24, 2016



PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR



GOVERNOR

April 11, 2016
10:11 AM